

UNITED STATES OF AMERICA)
)
)
v.)
)
)
(1) MARCOS PITH DEOLIVEIRA ROCHA) **Criminal No. 04-cr-10001-RGS**
a/k/a LUCAS VALADARES)
)
and)
)
(2) ARI ALVES TEIXEIRA)

**JOINT STATUS REPORT
CONCERNING LOCAL RULE 116.5(C)**

The parties respectfully submit this joint status report concerning the issues raised by Local Rule 116.5(C) in anticipation of the March 29, 2004 final status conference in this case:

1. There are no outstanding discovery issues other than those that need to be provided by the government 21 days or fewer before trial, except as detailed in paragraph 2.
2. The government turned over numerous tapes of conversations involving one or more defendant which were in Portuguese. There is some indication that each defendant may have been inadvertently provided with the right number of tapes, but not a complete set, as some of the tapes may have been duplicates. To correct this problem, the government will shortly be providing an additional complete set of tapes to the defendants. Additionally, the government anticipates providing additional discovery as a result of the as yet uncompleted forensic review of the computers seized during the execution of the search warrant related to this matter. The parties do not anticipate any other discovery relating to the future receipt of information, documents or reports of examinations.
3. The defendants do not intend to raise a defense of insanity or public authority.
4. The government has not requested notice of alibi from the defendants.
5. The defendants may file dispositive motions.

6. Defendant Teixeira does not anticipate that this case will be resolved through a change of plea. Defendant Rocha is still considering a change of plea.

7. The parties request that the Court exclude the period from the March 29, 2004 status conference through the date next scheduled in this matter under 18 U.S.C. § 3161(h)(1)(F).

8. The government will need three trial days to present its case in chief should this matter proceed to trial.

Respectfully Submitted,

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March 25, 2004